

REMARKS

This Amendment is being filed simultaneously with a Request for Continued Examination. This Amendment serves as a submission under 37 C.F.R. §1.114. The amendments filed March 17, 2008 have been previously entered.

Claims 1, 3-4, 6-13 and 22-24 are pending in this application. By this Amendment, claims 1, 4, 6, 8, 10-11 and 13 are amended and claims 5 and 14-21 are canceled without prejudice or disclaimer. Various amendments are made for clarity and are unrelated to issues of patentability.

The Office Action rejects the claims under 35 U.S.C. §103(a) over U.S. Patent 7,003,790 to Inoue et al. (hereafter Inoue) in view of newly-cited U.S. Patent Publication 2003/0037333 to Ghashghai (hereafter the Ghashghai publication), alone or in combination with one of U.S. Patent 5,416,693 to Yoshinari, U.S. Patent 7,006,881 to Hoffberg et al. (hereafter Hoffberg) and/or U.S. Patent 6,184,918 to Goldschmidt Iki et al. (hereafter Goldschmidt Iki). The rejections are respectfully traversed with respect to the pending claims.

Independent claim 1 recites a receiver, a controller, a user history recorder and a data transmitter. Independent claim 1 further recites the user history recorder for saving information on a user's action on a corresponding content under control of the controller, the user history recorder including a consumption type recorder for segmenting a user's consumption type on content and for saving the segmented behavior, and a consumption behavior recorder for recording a user's consumption behavior on each section according to the user's action made on different sections while using content. Independent claim 1 further recites that the consumption

type recorder comprises a recording record area for recording relevant information and frequency thereof regarding when the user records the content, and a back-up saving record area for recording relevant information and frequency thereof regarding when the content is saved in an external storage besides a receiver. Still further, independent claim 1 recites that the consumption behavior recorder comprises a normal finish record area, a stopped record area, a skimmed record area, and a skipped record area.

The applied references do not teach or suggest at least these features of independent claim 1, which includes features from previous dependent claim 6. More specifically, the applied references do not teach or suggest the claimed user history recorder that includes a consumption type recorder and a consumption behavior recorder, where the consumption behavior recorder includes a recording record area and a back-up saving record area, as recited in independent claim 1.

Applicant has previously submitted a verified English-language translation of the Korean priority document. It is respectfully that the Korean priority document supports each of the rejected pending claims of the present application.

The Office Action dated December 17, 2007 states that Inoue and Yoshinari do not teach or suggest the claimed consumption behavior recorder that includes a normal finish record area, a stopped record area and a skimmed record area. The Office Action relies on the Ghashghai publication for the missing features. The paragraphs [0232], [0248], [0251] and [0254] within the Ghashghai publication are not prior art to the rejected claims of the present

application. On the other hand, the Ghashghai publication is a continuation-in-part of U.S. Patent Application 09/422,121, filed October 20, 1999 (hereafter the Ghashghai parent application). Applicant respectfully submits that the Ghashghai parent application does not teach or suggest the features of independent claim 1 missing from Inoue.

Inoue and the Ghashghai parent application do not teach or suggest the claimed user history recorder that includes a consumption type recorder and a consumption behavior recorder in which the consumption type recorder includes a recording record area (for recording relevant information and frequency thereof regarding when the user records the content) and a back-up saving record area (for recording relevant information and frequency thereof regarding when the content is saved in an external storage besides a receiver).

When discussing the features of previous dependent claim 6, the Office Action cites Inoue's col. 9, line 64-col. 10, line 3 and col. 17, lines 35-47 as teaching the claimed recording record area. This does not suggest recording relevant information and frequency thereof regarding when the user records the content (in combination with a consumption type recorder for segmenting a user's consumption type on content and for saving the segmented behavior).

The Office Action also cites Inoue's col. 17, lines 35-47 as teaching the claimed back-up saving record area. This does not teach or suggest recording relevant information and frequency thereof regarding when the content is saved in an external storage besides the receiver (in combination with a consumption type recorder for segmenting a user's consumption type on content and for saving the segmented behavior). In summary, Inoue and the Ghashghai parent

application do not teach or suggest the claimed user history recorder that includes a consumption type recorder and a consumption behavior recorder, and the consumption type recorder includes a recorder record area and a back-up saving record area.

Additionally, Ghashghai's parent application at best merely allegedly discusses VCR like actions (pages 19-20) and that a time button is pressed (36-37), as alleged in the Advisory Action. However, this does not teach or suggest the features of independent claim 1 missing from Inoue. For example, this does not teach or suggest the claimed recording record area and back-up saving record area.

The other applied references do not teach or suggest missing features of independent claim 1. Thus, independent claim 1 defines patentable subject matter.

Each of the dependent claims depends from independent claim 1 and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1, 3-4, 6-13 and 22-24 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

Serial No. **10/025,920**

Docket No. **K-0373**

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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